



PATENT 1647

U.S. Pat. Appln. Ser. No.: 08/826,577  
Attorney Docket No. UM-06435

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vishva M. Dixit *et al.*

Serial No.: 08/826,577

Group No.: 1647

Filed: 04/22/97

Examiner: Hayes, R.

Entitled: CD40 Binding Compositions And Methods Of Using Same

TECH CENTER 1600/2900

AUG 27 2001

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## TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: August 20, 2001By: Susan M. McClintock

Susan M. McClintock

Sir or Madam:

Enclosed for filing in the above-named matter is a Notification of Response to the June 19, 2001, Final Office Action in Related Application S/N: 09/224,556.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: August 20, 2001Thomas J. Bordner  
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NOTIFICATION OF RESPONSE TO THE JUNE 19, 2001, FINAL  
OFFICE ACTION IN RELATED APPLICATION S/N: 09/224,556

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Dated: August 20, 2001

By:

Susan M. McClintock  
Susan M. McClintock

Dear Examiner:

The following communication notifies the Examiner that the Applicants have Responded to the June 19, 2001, Final Office Action in related U.S. Patent Application Serial No.: 09/224,556 ("556"). The '556 application was filed on December 12, 1998, and claims priority to SUSPENDED U.S. Patent Application Serial No.: 08/826,577 ("577"), referred to above. The pending Claims of the SUSPENDED '577 application and the pending Claim of '556 application (upon entry of the proposed amendments) are, respectively, set forth below for the Examiner's convenience.

Notice that the '577 application was SUSPENDED was mailed on June 3, 1999. Notice that Claims 42, 45, 48, and 56 of the '577 application were Allowable was also mailed on June 3, 1999. Applicants have not been updated on the status of the SUSPENDED '577 application since their November 9, 1999, Status Inquiry letter.

Applicants respectfully request that the Examiner enter this communication into the file history of the '577 application.

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**Suspended Claims Of U.S. Patent Application Serial No.: 08/826,577**

42. A purified protein or polypeptide comprising amino acids 297 to 567 as shown in SEQ. ID NO. 2.

45. A purified protein of claim 42, wherein the protein consists of the amino acid sequence as shown in SEQ. ID NO. 2.

48. A composition comprising the purified protein or polypeptide of claim 42 and an acceptable carrier.

56. A composition comprising the purified protein of claim 45 and an acceptable carrier.

**Pending Claims Of U.S. Patent Application Serial No.: 09/224,556 (upon entry of the proposed amendments)**

51. An isolated nucleic acid that encodes a polypeptide comprising the amino acid sequence shown in SEQ ID NO:2.

52. The isolated nucleic acid of claim 51, wherein the nucleic acid is cDNA or RNA.

53. A composition comprising the isolated nucleic acid of claim 51 and a carrier.

55. A vector comprising the isolated nucleic acid of claim 51.

56. An isolated host cell comprising the isolated nucleic acid of claim 51.